

#14-04

**AN ORDINANCE OF THE TOWNSHIP OF NORTH BRUNSWICK  
IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AUTHORIZING THE  
ACQUISITION OF AN EASEMENT ON OVER AND THROUGH BLOCK 79 LOT 1.01  
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF NORTH BRUNSWICK,  
MIDDLESEX COUNTY, NEW JERSEY, LOCATED AT THE INTERSECTION OF  
ROUTE 1 AND COZZENS LANE, TOWNSHIP OF NORTH BRUNSWICK,  
MIDDLESEX COUNTY, STATE OF NEW JERSEY, FOR  
ROADWAY IMPROVEMENTS**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Township of North Brunswick ("Township") is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, the Township of North Brunswick has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of its powers of eminent domain.

**WHEREAS**, North Brunswick TOD Associates, LLC ("Developer") desires to develop property located in the Township of North Brunswick, Middlesex County, State of New Jersey into a multi-use development (the "Project"); and

**WHEREAS**, the Project requires various on-tract and off-tract roadway improvements to be constructed which will improve traffic flow within the Project and within the Township (the "Improvements"); and

**WHEREAS**, in order to undertake such Improvements, it is necessary that the Township acquire all or a portion of an easement on, over and through Block 79 Lot 1.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, New Jersey, located at the intersection of Route 1 and Cozzens Lane, Township of North Brunswick, Middlesex County, State of New Jersey (the "Easement"); and

**WHEREAS**, the Township Council of the Township of North Brunswick has determined that, since the contemplated Improvements would improve the traffic flow throughout the Township, it would serve a public purpose and be to the benefit of the health, welfare and safety of the Township's citizens for the Township to acquire the Property and/or any interests thereto.

**NOW, THEREFORE BE IT ORDAINED**, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that:

1. The Township of North Brunswick's acquisition by negotiation and/or by the exercise of its power of eminent domain of certain lands and/or interests in and to such lands known as: Block 79, Lots 1.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, New Jersey, located at the intersection of Route 1 and Cozzens Lane, Township of North Brunswick, Middlesex County, State Of New Jersey (the "Easement"), for the purposes described hereinabove, be and is hereby authorized and approved; and